

Pauley W.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARIBEL BAEZ; FELIPA CRUZ; RD., ON BEHALF OF
HER MINOR CHILD, A.S.; on their own behalf and
on behalf of all others similarly situated;
UPPER MANHATTAN TOGETHER, INC.; and
SOUTH BRONX CHURCHES SPONSORING
COMMITTEE, INC.,

13 Civ. 8916 (WHP)

STIPULATION

Plaintiffs,

vs.

NEW YORK CITY HOUSING AUTHORITY,

Defendant.
-----X

SO ORDERED:

 9/9/15
WILLIAM H. PAULEY III U.S.D.J.

WHEREAS the New York City Housing Authority ("NYCHA") has indicated its intention to inspect certain NYCHA public housing apartments identified in the exhibits to the Declaration of Michael Stanley dated April 22, 2015 (Doc. 40) ("Stanley Declaration"); and

WHEREAS plaintiffs have moved by order to show cause for an order requiring, *inter alia*, 48 hours' notice to counsel of any visit to those apartments, a description of the purpose of the visit, and production of any reports, notes or photographs relating to the visit; and

WHEREAS the parties wish to resolve this dispute without further Court intervention;

IT IS HEREBY AGREED, by and between the parties that, as to inspections concerning the apartments of tenants identified in the exhibits to the Stanley Declaration


scheduled for the purpose of informing NYCHA's supplemental opposition to plaintiffs' motion (the "Inspections"):

1. NYCHA will provide advance notice of at least one day to plaintiffs' counsel of any Inspection and any follow up work order. For example, notice given on Monday afternoon shall be sufficient as to an Inspection or work order scheduled for Wednesday.
2. NYCHA will continue to include in the schedules provided to plaintiffs' counsel the tenants' names and set forth the apartment numbers in a separate column.
3. The schedules will also include the time of the Inspection for each apartment. Such inspections will take place either during the hours of 8-9 a.m. or 1-2 p.m. In the event the work order is not processed during those periods, NYCHA staff will notify plaintiffs' designated contact person. If there are multiple inspections scheduled for the same building for the same time period, NYCHA will use its best efforts to inform plaintiffs' counsel of the order in which those inspections will take place.
4. NYCHA has provided plaintiffs' counsel with the name of a contact person for all Inspections. NYCHA will also use best efforts to inform plaintiffs' counsel in advance if an Inspection is cancelled or rescheduled.
5. NYCHA will use best efforts to provide copies to plaintiffs of the documents and information generated by these Inspections and work orders within 24 hours of the Inspection or work order and, in any event, within 72 hours.

6. NYCHA represents that it will not interview any tenant for purposes of litigation during the course of an Inspection unless plaintiffs' counsel is present. Communications between the tenant and development staff will be those normally attendant to mold work orders.
7. The parties agree that either party may seek modification of the Stipulation if the protocol is not working.

DAVID FARBER
General Counsel
New York City Housing Authority
Attorney for Defendant
250 Broadway, 9th Floor
New York, NY 10007
Tel. 212-776-5244

By:


Donna M. Murphy

HOGAN LOVELLS US LLP
875 Third Avenue
New York, NY 10022
Tel. 212-918-3000

Steven M. Edwards / Emm
Steven M. Edwards
Pooja A. Boisture
Erin Marie Meyer

NATIONAL CENTER FOR LAW
AND ECONOMIC JUSTICE
Marc Cohan
Gregory Bass
Petra Tasheff
275 Seventh Avenue, Ste 1506
New York, NY 10001
Tel. 212-633-6967

NATURAL RESOURCES DEFENSE COUNCIL
Nancy S. Marks
Albert Y. Huang
40 West 20th Street
New York, NY 10011
Tel. 212-727-2700

Attorneys for Plaintiffs

SO ORDERED: _____

U.S.D.J.

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